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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,147	01/05/2001	Bas Ording	P2428USX-722	3465
21839	7590	07/17/2006	[REDACTED]	EXAMINER
				NGUYEN, KIMBINH T
			[REDACTED]	ART UNIT
				PAPER NUMBER
				2628

DATE MAILED: 07/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/754,147 Examiner Kimbinh T. Nguyen	ORDING, BAS Art Unit 2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 09 April 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-5,7,8,10-17 and 19-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-3,7,8,10-17,19-29 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

## **DETAILED ACTION**

1. This action is responsive to Appeal Brief filed 04/09/04.
2. Claims 1-5, 7, 8, 10-17 and 19-29 are pending in the application.

### ***Specification***

3. The continuation data of the application No. 09/477,738 need to be updated with the current status.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5, 7-8, 10, 14-17, 19-21, 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al (Animation: From Cartoons to the User Interface) in view of Elliott et al. (5,764,241).

**Claim 1,** Chang teaches a method for moving an object in a graphical user interface, comprising the steps of a) determining a path of movement for the object along at least one axis, and a period of time for the movement along said path (Fig. 8: starting and ending positions; fig.9); b) establishing a non-constant velocity function along said axis for said period of time (page 51: slow-in and slow-out movement with faster movement in the middle; c) calculating an instantaneous position for the object along said path in accordance with said function and the relationship of a current time value to said period of time (fig. 8 and fig. 9); d) displaying said object at said calculated

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position (fig. 8 and fig. 9); and e) iteratively repeating steps (c) and (d) during said period of time (fig. 8 and fig. 9). However, Chang et al does not specifically teach determining a period of time, a non-constant velocity function of the period of time, calculating an instantaneous position for the object along said path in accordance with said function and the relationship of a current time value to said period of time. This is disclosed in Elliot et al (a periodic function of time, the data flow graph or a continuous data flow, the sine function, the sinusoidal velocity; col. 11, lines 13-65). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a periodic function of time taught by Elliott into the method of applying animation to the user interface of Chang for moving objects from one location to another, because it would allow a user to describe behavior that varies in response to discrete events. This feature allows events such as state changes and mouse clicks to be integrated with time-varying values (col. 12, lines 2-9).

**Claim 2,** Chang teaches a non-linear function for velocity (fig. 8; fig. 9; page 51: slow-in slow-out).

**Claim 3,** Elliott et al. teaches the function being a sinusoidal function (col. 11, lines 33-55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a sine function taught by Elliott into the method of applying animation to the user interface of Chang for moving objects from one location to another, because it would create a periodic function of time and also provide more sophisticated model.

**Claim 4**, Elliott et al. teaches determining the amount of time that has elapsed since the beginning of said period of time, and determining the instantaneous position of the object along said path, calculating the ratio of said elapsed amount of time to the total duration of said period of time, applying said ratio to said function to determine a translation factor; and using the translation factor to determine the instantaneous position of the object along the path (col. 11, lines 23-65). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a periodic function of time taught by Elliott into the method of applying animation to the user interface of Chang for moving objects from one location to another, because it would allow a user to describe behavior that varies in response to discrete events. This feature allows events such as state changes and mouse clicks to be integrated with time-varying values (col. 12, lines 2-9).

**Claim 5**, Chang teaches a method for moving an object in a graphical user interface, comprising the steps of identifying a starting location for the object; selecting a final location for the object (fig.8: beginning and final pose; fig.9); displaying said object at sequential positions along a path from said starting location to said final location at increments of time (fig.8; fig.9), such that the distance between successive positions varies so that the object appears to be moving at a changing velocity (fig.8, fig. 9). Chang does not clearly teach a changing velocity; however, Elliott et al teaches a change in the data flow graph, a sinusoidal velocity (a changing velocity) varies over time (col. 11, lines 35-55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a periodic function of time taught by

Elliott into the method of applying animation to the user interface of Chang for moving objects from one location to another, because it would allow a user to describe behavior that varies in response to discrete events. This feature allows events such as state changes and mouse clicks to be integrated with time-varying values (col. 12, lines 2-9).

**Claim 7** is similar to claims 3, and hence are rejected with the same rationale.

**Claims 8, 10** are similar to claims 5,7, and hence are rejected with the same rationale.

**Claim 20** is a user interface claim for a combination of claims 1 and 2, and hence is rejected with the same rationale as claims 1 and 2.

**Claim 21** is a user interface claim for claim 3, and hence is rejected with the same rationale.

**Claims 14-16, 17, 19, and 25-26** are program medium and system claims for the method claims of 1-3, and 5, 7 respectively, and hence are rejected with the same rationale, as it would have been obvious to have a storage medium to store the program of the method, and a system to execute such programs.

6. Claims 11, 22, and 27 are rejected under 35 U.S.C.103(a) as being unpatentable over Chang et al (Animation: From Cartoons to the User Interface: 19932 ACM 0-89791-628+93/0011), as applied to claims 8, 20, and 25 respectively in view of Elliott et al, and further in view of IBM TDB article ("Window Closing Animations": IBM Technical Disclosure Bulletin, US, IBM Corp, NY; 1 Nov. 1995., ISSN 0018-8689).

**Claim 11**, IBM TDB article teaches user action of minimizing a window, and animations for minimizing a window. Hence, it would have been obvious to one of

ordinal skill in the art at the time the invention was made to incorporate the animation for minimizing the window in the invention of Chang and Elliott, in order to provide effective feedback on user action.

**Claims 22 and 27** are similar to claim 11, and hence are rejected with the same rationale.

7. Claims 12, 13, 23, 24, 28, and 29 are rejected under 35 U.S.C.103(a) as being unpatentable over Chang et al (Animation : From Cartoons to the User Interface : 1993: ACM 0-89791-628-\*93/0011), as applied to claims 8, 20, and 25 respectively in view of Elliott et al, and further in view of Ellison- Taylor (US 5,796,402).

**Claims 12 and 13**, Ellison-Taylor teaches a tiling program that aligns the windows based on the relative position and size of the windows when the request is made (col. 3: lines 27-48), thus teaching implicitly the moving of objects in a series toward the space occupied by the removed object when an object is removed, and away from the inserted object when an object is inserted. It would have been obvious to one of ordinary skill In the art at the time the invention was made to incorporate the tiling of Ellison-Taylor in the invention of Chang and Elliott, so that the objects may be displayed in their final positions without overlap, so that all the objects in the display area are visible to the user concurrently.

**Claims 23-24, and 28-29** are similar to claims 12-13, and hence are rejected with the same rationale.

#### ***Response to Arguments***

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8. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimbinh T. Nguyen whose telephone number is (571) 272-7644. The examiner can normally be reached on Monday to Thursday from 7:00 AM to 4:30 PM. The examiner can also be reached on alternate Friday from 7:00 AM to 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached at (571) 272-7664. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

July 11, 2006

*Kimbinh T. Nguyen*  
KIMBINH T. NGUYEN  
PRIMARY EXAMINER